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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/649,461	08/25/2000	Rick L. Allison	1322/51	7020

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EXAMINER

SHARMA, SUJATHA R

ART UNIT PAPER NUMBER

2682

DATE MAILED: 10/18/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/649,461

Applicant(s)

ALLISON ET AL.

Examiner

Sujatha Sharma

Art Unit

2682

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-59 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-59 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 10. 6) ☐ Other: .

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

2. Claims 1-32 and 34-59 are rejected under 35 U.S.C. 102(e) as being anticipated by Jung [DE 198 05 261 A1].

The reference cited above is listed in the applicant's information disclosure statement (IDS).

Regarding claim 1,13,14,25,27 and 56, Jung discloses a method for detecting international roaming relationship. Jung further discloses a method where in response to a change in location by the user an SMS is automatically generated and sent to the subscriber. Jung further discloses a method where the HLR receives the signaling information pertaining to the subscriber who has changed location where the signal message is correlated with at least one parameter in the mobile call. Jung further discloses a method where based on the parameter received, a location change is generated and sent to SMSC which further generates an SMS message and send it to the subscriber. See page 2, lines 7-13, 18-32, page 3, lines 1-24, page 4, lines 9-16, page 5, line 1- page 6, lines 1-15.

Regarding claims 2-4 and 15-17, Jung further discloses the call signaling message processed by means of MAP. See pages 1 and 2.

Regarding claims 5, 6, 18 and 19, Jung further discloses HLR identification and VLR identification as one of the message parameters used to generate the change in location indication message. See abstract, page 2 and page 4.

Regarding claims 7-9 and 20-22, Jung further discloses the message parameters to include mobile identification number (MIN), mobile directory number (MDN) or mobile subscriber ISDN number (MSISDN). Jung further discloses the message parameter to include international mobile station identity (IMSI number and also the MSCID. See pages 2 and 5.

Regarding claims 10 and 23, Jung further discloses the date and time as one of the message parameters. See pages 3 and 6.

Regarding claims 11, 12, 24 and 25, Jung further discloses the SMS message to be either an information message or a welcome message. See page 2.

Regarding claim 26, Jung discloses a method for detecting international roaming relationship. Jung further discloses a method where in response to a change in location by the user an SMS is automatically generated and sent to the subscriber. Jung further discloses a method where the HLR receives the signaling information pertaining to the subscriber who has changed location where the signal message is correlated with at least one parameter in the mobile call. Jung further discloses a method where the mobile call signal message is stored in mobile call update records. See page 1, lines 5-26, page 2, lines 7-13, 18-32, page 3, lines 1-24, page 4, lines 9-16, page 5, line 1- page 6, lines 1-15.

Regarding claim 28, Jung further discloses a method to determine if the subscriber is in a foreign network based on HLRID and VLRID. See abstract.

Regarding claims 29 and 30, Jung further discloses a method where the correlation process for the mobile call signaling messages continues when subscriber roams in a foreign network and further the correlation process is stopped when the subscriber is not roaming in the foreign network. See pages 3-6.

Regarding claim 31, Jung further discloses a method where by a simple determination mechanism, notifications may be generated or suppressed depending on further stays of the roamer in the VPLMN. See page 6.

Regarding claim 32, the change in location of the subscriber is generated and sent to SMSC. See page 2 and Fig.2.

Regarding claims 34-40 and 45-50, Jung further discloses the network architecture where the first network element, HLR/VLR/OR another central office of the network, receives a plurality of call signaling messages. Further Jung discloses a message processing platform 21 associated with the first network element that is adapted to correlate and examine the parameters of the mobile call signaling message and generate a notification to the subscriber by means of SMS. See Fig.2, page 2 and page 5.

Regarding claims 41 and 52, Jung further discloses that owners of the subscriber's HLR and the first network element are not the same. See Fig.1 and abstract.

Regarding claims 42-44,53-55, 57 and 58, Jung further discloses message processing platform 21 associated with the first network element that is adapted to correlate and examine the parameters of the mobile call signaling message and generate a notification to the subscriber by means of SMS. See Fig.2, page 2 and page 5.

Regarding claim 51, Jung further discloses the message monitoring system coupled to billing.

See page 6.

Regarding claim 59, Jung further discloses protocol recording devices 18 and 19, which are used to gather signaling data from the message processing platform. See Fig.2 and pages 4 and 5.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 33 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jung [DE 198 05 261 A] in view of Brown [EP 710 043 A1].

Jung as treated in claim 26, does not disclose a method where the location update record is discarded after failing to produce call signaling messages to complete update location record in a given time.

Brown discloses a method where the location update message is sent periodically within a pre-determined amount of time. See page 7, lines 27-34.

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify Jung with the above teaching from Brown in order to ensure up-to-date location information is maintained on mobile stations.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Granberg [US 6,122,510] discloses a method and apparatus for providing network specific mobile services.

Bergkvist [US 6,091,958] discloses mobile station's geographical position determination, method and arrangement.

Souissi [US 6,091,959] discloses method and apparatus in a two-way wireless communication system for location based message transmission.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sujatha Sharma whose telephone number is 703-305-5298. The examiner can normally be reached on Mon-Fri 7.30am - 4.00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian Chin can be reached on 703-308-6739. The fax phone numbers for the organization where this application or proceeding is assigned and for all official communications is 703-872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3800.

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SS
Sujatha Sharma
October 15, 2002

Vivian Chin
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